

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 15-0348

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DOMINICK DEMARAL SMITH,

Defendant and Appellant.

FILED
ORDER

NOV 29 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Counsel for Appellant Dominick Demaral Smith filed a motion and brief asking to be allowed to withdraw from this appeal on grounds that she has been unable to find any nonfrivolous issues to raise on appeal, pursuant to *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396 (1967) and § 46-8-103(2), MCA. Smith was granted time to file a response to his counsel's motion and brief, but he did not file a response within the time allowed.


The Court has now independently examined the record pursuant to *Anders*. We conclude there are no arguments with potential legal merit that could be raised on appeal in this case.

Therefore,

IT IS ORDERED that this appeal is DISMISSED.

The Clerk is directed to provide copies of this Order to all counsel of record and to Dominick Demaral Smith personally.

DATED this 29th day of November, 2016.


Chief Justice
Patricia Cotter

Richard

David

John

James

John Rice

Justices